

APPENDIX 3

Colorado Canyons National Conservation Area Standard Operating Procedures



Mountain Biker on Mack Ridge

Standard Operating Procedures

The following management guidance applies to and is part of the Proposed Management Prescription, which incorporates the BLM core objective of multiple use, allowing for as wide a range of activity as possible while protecting the resources for future use and enjoyment. Guidance was set forth, for the long-range protection and management of the CCNCA, in the Colorado Canyons National Conservation Area and Black Ridge Canyons Wilderness Act of 2000 (the CCNCA Act, Public Law 106-353). All Standard Operating Procedures (SOP) are also based on existing laws, regulations, and policy.

Allowable Uses

The public lands will be managed under the principles of multiple use and sustained yield, as required by the Federal Land Policy and management Act (FLPMA). Any authorized use, occupancy, or development of the public lands that conforms to the Resource Management Plan (RMP) will be considered. Those uses; including rights-of-way, leases, and permits; will be subject to environmental review and may require limitations or stipulations to protect and preserve natural resources. Limitations may also be imposed on either the type or intensity of use, or both, because of environmental values, hazards, or special management considerations. Some limitations have already been identified for specific areas and are included in the management objectives in this plan.

Coordination with Other Agencies, State and Local Governments, and Indian Tribes

The BLM will ensure that the detailed management plans and individual projects resulting from the RMP are consistent with officially adopted and approved plans, policies, and programs of other agencies, state and local governments, and Indian Tribes. Cooperative Agreements and Memoranda of Understanding (MOU) will be developed as needed to promote close cooperation between the BLM and other federal agencies, state and local governments, organizations, and Indian tribes.

Air Quality

Under the Clean Air Act (as amended, 1977) BLM-administered lands were given a Class II air quality classification, which allows moderate deterioration associated with moderate, well controlled industrial and population growth. The BLM will manage all public lands as Class II unless they are reclassified by the state as a result of the procedures prescribed in the Clean Air Act. Administrative actions on the public lands will comply with the air quality classification for that specific area and appropriate State Implementation Plans.

When applicable (activities with the potential to affect air quality), the BLM would determine and document “conformity” with local, state, tribal, and federal air quality

laws, regulations, and standards (per 40 CFR 93.100 et seq). Conformity determinations would be included in site-specific activity plans and/or National Environmental Policy Act (NEPA) documentation.

Hazardous Materials

Prevent hazardous materials contamination of public lands:

Minimize releases of hazardous materials through compliance with current regulations. When hazardous materials are released into the environment, assess their impacts on each resource and determine the appropriate response, removal, and remedial actions to take.

Reduce risks associated with hazardous materials on public lands:

Evaluate all actions (including land use authorizations and disposals, mining and milling activities, and unauthorized land uses) for hazardous materials, waste minimization, and pollution prevention.

Complete site-specific inventories when lands are being disposed or acquired. It is departmental policy to minimize potential liability of the Department and its bureaus by acquiring property that is not contaminated, unless directed by Congress, court mandate, or as determined by the Secretary.

Inspect mining and milling sites to determine appropriate management for hazardous materials.

Barrier-Free Access

Access for, and use by, the physically challenged will be considered in all project planning.

Land Acquisition

The BLM will consider acquiring undeveloped inholdings within the CCNCA through exchange, donation, purchase, or transfer in order to:

1. Facilitate access to public lands and resources.
2. Maintain or enhance important public values and uses.
3. Maintain or enhance local social and economic values.
4. Improve management efficiency through expanding blocks of public lands.
5. Facilitate implementation of other aspects of the RMP.

All in-holdings should be acquired if possible as per the CCNCA Act.

Utility/Rights-of-Way (ROW) Exclusion and Avoidance

Utility and transportation development are not normally compatible with the objectives of the CCNCA. Therefore, the CCNCA would be designated as a ROW exclusion area. In rare cases due to public land boundaries and private inholdings, ROWs may be permitted based on consideration of the following criteria:

1. Type of, and need for the, proposed facility (local service to inholdings would receive priority consideration).
2. Conflicts with other existing or potential resource values and uses, particularly visual resource impacts.
3. Availability of alternatives and/or mitigation measures.

Unauthorized Use

It is BLM policy to identify, abate, and prevent unauthorized use of public land. Existing unauthorized uses of public land will be resolved either through termination, temporary authorization by short-term permit, issuance of ROWs, leasing through the Recreation and Public Purposes Act, or other appropriate manner.

Vegetation Management

There will be no sales of vegetation.

Weed Management

Per a Bureauwide policy, feed provided for horses must be weed free.

Wildlife

Wildlife habitat will be evaluated on a case-by-case basis as a part of project-level planning. Such evaluation will consider the significance of the proposed project and the sensitivity and importance of wildlife habitat in the affected area. Stipulations will be attached as appropriate to assure compatibility of projects with management objectives for wildlife habitat. Habitat improvement projects will be implemented where necessary to stabilize or improve unsatisfactory or declining wildlife habitat condition. Such projects will be identified through habitat management plans or project plans.

Threatened, Endangered and Sensitive Species Habitat

Whenever possible, management activities in habitat for threatened, endangered or sensitive species will be designed to benefit those species through habitat improvement.

The Colorado Division of Wildlife and the U.S. Fish and Wildlife Service will be consulted prior to implementing projects that may affect habitat for threatened and endangered species. If a “may affect” determination is made by a qualified BLM wildlife biologist, consultation with the U.S. Fish and Wildlife Service will be initiated in accordance with Section 7 of the Endangered Species Act of 1973, as amended.

Soil and Water Resources

Soil and water resources will be evaluated on a case-by-case basis as a part of project-level planning. Such an evaluation will consider the significance of the proposed projects and the sensitivity of the resources. Stipulations will be attached as appropriate to prevent adverse impacts to soil and water resources. Best management practices will be incorporated into management actions to protect and/or enhance water resources.

Water quality will be maintained or improved in accordance with state and federal standards. State agencies will be consulted, when necessary, on proposed projects that may significantly affect water quality. Water rights and permits, e.g. 404 permits, will be obtained prior to project implementation.

All BLM-initiated or -authorized actions potentially affecting wetland-riparian areas will comply with the spirit and intent of Executive Order 11990 (Protection of Wetlands) and BLM Manual Section 6740.06. These directives stress the avoidance of (1) “. . . long- and short-term adverse impacts associated with the destruction, loss, or degradation of wetland areas,” and (2) the preservation and enhancement of “the natural and beneficial values of wetland areas which may include constraining or excluding those uses that cause significant, long-term ecological damage.”

Recreation

A broad range of outdoor recreational opportunities will continue to be provided for all segments of the public. Trails and other means of public access will continue to be maintained and developed where necessary to enhance recreation opportunities and allow public use. Developed recreation facilities receiving the heaviest use will receive first priority for operation and maintenance funds. Sites that cannot be maintained to acceptable health and safety standards will be closed until deficiencies are corrected.

Recreation resources will be evaluated on a case-by-case basis as a part of project-level planning. Such evaluation will consider the significance of the proposed project and the sensitivity of recreation resources in the affected area. Stipulations will be attached as appropriate to ensure compatibility of projects with recreation management objectives.

Visual Resources

Visual Resources Management (VRM) is discussed in Chapter 3, Section 3.18, and class assignments are represented on that section's accompanying map (see Figure 3-16). Visual resources will continue to be managed as discussed, although assignments may be modified if future VRM analysis suggests more accurate ratings.

Visual resources will be evaluated as a part of activity and project planning. Such evaluation will consider the significance of the proposed project and the visual sensitivity of the affected area. Stipulations will be attached as appropriate to maintain visual resources.

Wilderness Resources

The Black Ridge Canyons Wilderness (BRCW) will continue to be managed in compliance with the Wilderness Act of 1964 and the BLM's Wilderness Management Policy.

Cultural Resources

The BLM is required to identify, evaluate, and protect cultural resources on public land under its jurisdiction and to ensure that Bureau-authorized actions do not inadvertently harm or destroy non-federal cultural resources. These requirements are mandated by the Antiquities Act of 1906, the National Historic Preservation Act of 1966 (as amended), the National Environmental Policy Act of 1969, Executive Order 11593 (1971), and the Archaeological Resources Protection Act of 1979, together with 36 CFR 800.

Prior to starting any Bureau-initiated or -authorized action that involves surface disturbing activities, the BLM will conduct, or cause to be conducted, a Class III (intensive) inventory as specified in BLM Manual Section 8111.4. This intensive inventory supplements previous surveys and will be done to locate, identify, and evaluate cultural resource properties in the affected areas. If properties that may be eligible for the National Register are discovered, the BLM will consult with the State Historic Preservation Office (SHPO) and forward the documentation to the Keeper of the National Register to obtain a determination of eligibility in accordance with 36 CFR Part 63.

Since any Bureau-initiated or -authorized action recognizes and accommodates cultural resources by virtue of SOPs, the only activity that may damage these resources is unplanned public use. Such activities include unauthorized recreational vehicle use, artifact collection, and illegal excavation for materials and antiquities. The location of these activities is impossible to predict and may occur in spite of measures designed to eliminate or limit them.

Cultural resource values discovered in a proposed project or authorized action area will be protected by adhering to the following methods:

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| Avoidance: | Cultural resources would be protected by redesigning or relocating the project or excluding significant cultural resource areas from development, use, or disposal. |
| Salvaging: | If a project cannot be redesigned or relocated, cultural resource values will be salvaged through controlled, scientific methods pursuant to the SHPO agreement. |
| Project/Action
Abandonment: | If the site is determined to be of significant value or the abovementioned methods are not considered adequate, the project will be abandoned. |

All cultural sites identified as special management areas will be closed to off-road vehicle (OHV) use, vegetation manipulation, and surface occupancy.

All cultural sites known to be eligible for National Register nomination, or listed on the National Register, will be protected from deterioration and be retained in federal ownership.

American Indian human remains will not be held or stored. In accordance with the Native American Graves Protection and Repatriation Act, remains and/or grave goods will be returned to the appropriate tribe upon their written request. (No items are currently known to exist in the CCNCA inventory.)

Inadvertent field discovery of American Indian human remains and/or grave goods will not be disturbed until the appropriate tribe is notified. All activity around the discovery will be halted, in accordance with the Native American Graves Protection and Repatriation Act, until the tribe has determined their recommendations.

American Indians may gather or tend traditional native plants or materials for personal use and/or use for traditional religious sites without obtaining a special use permit. Non-native plants may not be introduced. American Indians will be asked to inform the Grand Junction Field Office staff if they are gathering, tending, or using traditional religious sites in the CCNCA to avoid the possibility of conflict with visitors who may not understand the activity occurring and perceive or report to the BLM that unauthorized collection or use is occurring. (No traditional religious sites are currently known to exist in the CCNCA inventory.)

Paleontological Resources

Paleontological resources will be managed to protect specimens and maintain or enhance sites or areas for their scientific and educational values.

The potential impacts to the paleontological resources of the CCNCA are unknown, as an inventory has not yet been completed. Once an inventory is completed and site clearance becomes standard practice, with any needed monitoring and mitigation, and with further public education efforts, the resource will be adequately protected.

Cadastral Survey

Cadastral surveys will be performed when needed in support of resource management programs. Survey requirements and priorities will be determined on a yearly basis as a part of the annual work planning process.

Site-Specific Project Plans

The RMP provides general guidance for the CCNCA. More detailed management plans, called “project plans,” will be prepared to deal with site-specific resource projects. Project plans include a detailed plan for completion of a particular project and an environmental assessment to evaluate any potential resource impacts.

Economic and Social Considerations

The BLM will ensure that any management action undertaken in connection with this Plan is cost-effective and takes into account local social and economic factors. Cost-effectiveness may be determined by any method deemed appropriate by the Bureau for the specific management action involved.

Environmental Review

Prior to implementation of proposed projects, a review will be done to determine if criteria is met for a categorical exclusion. Projects not meeting the criteria will require an Environmental Assessment (EA) with a Finding of No Significant Impacts (FONSI). If the assessment suggests a major federal action that would significantly affect the human environment, an Environmental Impact Statement (EIS) will be prepared under the direction of the BLM Colorado State Director. An EIS was prepared for this RMP and environmental consequences are discussed in Chapter 4.